

AMENDED IN ASSEMBLY MARCH 23, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 136

Introduced by Assembly Member Silva

January 20, 2009

An act to amend Section 19596.1 of, *and to add Section 19532.2 to*, the Business and Professions Code, relating to horse racing, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 136, as amended, Silva. Horse racing: ~~harness or quarter horse races~~ racing: imported *harness or quarter horse* races.

Existing law provides that the California Horse Racing Board shall have the authority to allocate racing weeks and provides that the maximum number of racing weeks that may be allocated for harness racing, other than at fairs, in the northern zone is 25 weeks per year. Existing law also provides that the maximum number of racing weeks that may be allocated to a fair shall be 4 weeks each year, except as provided, including that the board may allocate additional weeks of harness racing to the California Exposition and State Fair in Sacramento or its lessee, to be raced at that fair.

This bill would authorize the board to allocate 52 weeks of harness racing in the northern zone, at one or more racetracks or fairs. The bill would provide that any provision of the Horse Racing Law that pertains to harness racing at the California Exposition and State Fair in Sacramento shall also apply to harness racing which is conducted at any other racing venue in the northern zone.

Under existing law, the ~~California Horse Racing Board~~ board is authorized to permit a harness or quarter horse association conducting

a race meeting to accept wagers on the results of out-of-state or out-of-country harness or quarter horse races, and certain other designated harness or quarter horse races, if specified conditions are met. One of these conditions is that, if only one breed is being raced on a given day, the racing association conducting live racing may import those races that would otherwise be simulcast by the association which is not racing, subject to the limitation that the total number of harness or quarter horse races imported in a calendar year does not exceed the number of night races imported in 1998 after 5:30 p.m.

This bill would delete that limitation regarding the total number of harness or quarter horse races imported in a calendar year.

~~Under existing law, revenues distributed to the state as license fees from horse racing are required to be deposited in the Fair and Exposition Fund and are continuously appropriated to the Department of Food and Agriculture for various regulatory and general governmental purposes.~~

~~By deleting a limitation on imported races, this bill would authorize additional wagering, and would increase the amount of continuously appropriated license fees, thereby making an appropriation.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes-no~~. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 19532.2 is added to the Business and*
- 2 *Professions Code, to read:*
- 3 *19532.2. Notwithstanding any other provision of law, 52 weeks*
- 4 *of harness racing may be allocated by the board, and conducted,*
- 5 *in the northern zone, at one or more racetracks or fairs. Any*
- 6 *provision of this chapter that pertains to harness racing at the*
- 7 *California Exposition and State Fair in Sacramento shall also*
- 8 *apply to harness racing which is conducted at any other racing*
- 9 *venue in the northern zone.*
- 10 ~~SECTION 1.~~
- 11 *SEC. 2. Section 19596.1 of the Business and Professions Code*
- 12 *is amended to read:*
- 13 *19596.1. (a) Notwithstanding any other provision of law, the*
- 14 *board may authorize a harness or quarter horse association*
- 15 *conducting a race meeting to accept wagers on the results of*
- 16 *out-of-state or out-of-country harness or quarter horse races and,*
- 17 *with the board's approval and with the concurrence of the*

1 horsemen's organization contracting with the association, other
2 designated harness or quarter horse races during the period it is
3 conducting the racing meeting, if all of the following conditions
4 are met:

5 (1) The authorization complies with federal laws, including, but
6 not limited to, Chapter 57 (commencing with Section 3001) of
7 Title 15 of the United States Code.

8 (2) Wagering is offered only within the racing inclosure and
9 only within 36 hours of the running of the out-of-state feature race.

10 (3) The association conducts at least seven live races, and
11 imports not more than eight races on those days during a racing
12 meeting when live races are being run, except as provided in
13 subdivision (b).

14 (4) If only one breed of horse specified in this section is being
15 raced on a given day, then the association conducting the live
16 racing may import those races which would otherwise be simulcast
17 by the association which is not racing. After the usual deductions,
18 including the portion for the racing association, the portion
19 remaining for purses from these races shall be distributed equally
20 for purses for harness horsemen and quarter horse horsemen.

21 (5) No quarter horse or harness racing association shall accept
22 wagers on out-of-state or out-of-country quarter horse or harness
23 races commencing before 5:30 p.m., Pacific standard time, without
24 the consent of any thoroughbred association or fair that is then
25 conducting a live racing meeting in this state.

26 (b) An association that is authorized to import races pursuant
27 to subdivision (a) may, at its sole discretion, import fewer than the
28 maximum number of harness or quarter horse races authorized in
29 paragraph (3) of subdivision (a). For up to two races per night, for
30 each race that is not imported under the maximum authorized by
31 paragraph (3) of subdivision (a) on a particular night of racing, the
32 association may add a race to the number of races allowable under
33 the maximum authorization on another night of racing. However,
34 no more than two races may be added under this subdivision to
35 the number allowable on a single night, and the total number of
36 imported races over a calendar year may not exceed the total
37 number of imported races authorized pursuant to paragraphs (3)
38 and (4) of subdivision (a).

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